

September 10, 2019 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on September 10, 2019 in Council Chambers, Municipal Building, at 7:30 PM with Mayor Kathy Lawson presiding. Other Council Members present included Chad Martin, Jim Woods and Danny Turner. Jennifer Bowles was not in attendance. Staff present included City Manager Leon Towarnicki, Assistant City Manager/City Attorney Eric Monday, Clerk of Council Karen Roberts, Finance Director Linda Conover, Police Chief Eddie Cassady, Fire Chief Ted Anderson, members of the fire department and Building Inspector Kris Bridges.

Mayor Lawson called the meeting to order and advised Council would go into Closed Session beginning at 6:30 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) and upon a motion by Council Member Turner seconded by Vice Mayor Martin with the following 4-0 recorded vote: Vice Mayor Martin, aye; Mayor Lawson, aye; Council Member Turner, aye; and Council Member Woods, aye. Council convened in Closed Session to discuss the following matters: (A) Appointments to boards and commissions, as authorized by Subsection 1, and (B) Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the A motion was made by Council Member Woods; seconded by Council Member Turner, with the following 4-0 recorded vote in favor to return to Open Session: Mayor Lawson, aye; Council Member Woods, aye; Vice Mayor Martin, aye; and Council Member Turner, aye.

Council Member Woods made a motion to appoint Dominique Hylton to the School Board for an unexpired 3-year term ending June 30, 2021. Council Member Turner seconded the motion with a 3-1 vote in favor: Turner, aye; Lawson, aye; Woods, aye and Martin nay.

Following the Pledge to the American Flag and invocation by Vice Mayor Martin, Lawson welcomed everyone to the meeting.

City Manager Towarnicki explained that the City continues to try to repair the video equipment and he hopes to get that working again by the next Council meeting.

Read a Proclamation acknowledging the week of September 17 – 23, 2019 as Constitution Week – Mayor Lawson read the proclamation which was presented to Ms. Goddard and Ms. Jackman, representatives of the local DAR chapter. Goddard thanked Council for the recognition. Information provided to the Council Members was also given to local students.



**PROCLAMATION**

**RECOGNIZING CONSTITUTION WEEK  
SEPTEMBER 17 - 23, 2019**

**WHEREAS:** The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS:** September 17, 2019, marks the two hundred and thirty-second anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW THEREFORE,** I, Kathy Lawson, Mayor of the City of Martinsville, along with Martinsville City Council members, do hereby proclaim the week of September 17 - 23, 2019, as Constitution Week and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

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Kathy Lawson, Mayor

Read and present a Proclamation acknowledging the 70<sup>th</sup> anniversary of the Martinsville Volunteer Fire Company – Vice Mayor Martin read the proclamation which was presented to the volunteer fire fighters in attendance. Page Brockenbrough, a 54 year volunteer shared some statistics with Council and encouraged anyone looking to volunteer to stop by the fire department for an application. City Manager Towarnicki shared additional historical information about the volunteer fire department which was organized in 1891.



**PROCLAMATION**

**RECOGNIZING THE 70<sup>th</sup> ANNIVERSARY OF THE  
MARTINSVILLE VOLUNTEER FIRE COMPANY**

**WHEREAS**, the Martinsville Volunteer Fire Department was initially formed and organized in 1891 as a Volunteer Fire Company with approximately 25 volunteers, continuing until 1936 as a volunteer unit which became the first paid fire department established in Martinsville; and

**WHEREAS**, on September 7, 1949, the Martinsville Volunteer Fire Company was reestablished and on October 12, 1949 began answering fire calls along with paid staff; and

**WHEREAS**, since September, 1949, approximately 400 volunteers have served MVFC assisting the Fire Department with many essential functions; and

**WHEREAS**, in addition to assisting the Fire Department with volunteer help, MVFC has also raised and provided thousands of dollars to assist in the purchase of equipment and supplies;

**NOW THEREFORE**, I, Kathy Lawson, Mayor of the City of Martinsville, along with Martinsville City Council members, do hereby recognize and commend Martinsville Volunteer Fire Company on your 70<sup>th</sup> Anniversary, and extend our appreciation for all you have done and continue to do in assisting the Fire Department and making our City safer for all citizens.

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Kathy Lawson, Mayor

Consider approval of the minutes from the July 9, 2019 Council Meeting, August 13, 2019 Council Meeting, and the August 27, 2019 Council Meeting – Vice Mayor Martin made a motion to approve all minutes as presented. Council Member Woods seconded the motion with all Council Members voting in favor.

Hear an update from Building Inspections regarding demolition of structures within the City – Building Inspector Kris Bridges updated Council on the status of local structures on the demolition list. He provided Council with the next round of properties to be added to the demolition list and explained he would be back in front of Council in the near future to request additional funds. City Manager Towarnicki explained that the initial list included some properties demolished by owners and the remainder would be handled by the City. Notices will be sent to the owners of the properties on the second list soon and the properties will be inspected for preparation for demolition. City Attorney Monday explained there is sufficient notice and opportunity for the property owners to either repair or pay to have the property demolished.

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### Property Maintenance and Demolitions Update – September 2019

#### A. Where we are now

1. 729 Rahlway St – Survey found asbestos containing material (ACM), structure not safe to abate, disposing of all as ACM
2. 1673 Roundabout Rd – demo by owner
3. 1210 Hickory St – found error with address, pulled off and moved to next list
4. 1320 Hillcrest Ave - Survey found asbestos containing material (ACM), structure not safe to abate, disposing of all as ACM
5. 908 Fayette St – demo by City
6. 807 Princeton St – plan of action to repair, WIP
7. 406 & 408 Pond St – plan of action to repair, WIP
8. 534 Dillard St- Survey found asbestos containing material (ACM), structure not safe to abate, disposing of all as ACM
9. 537 Dillard St – demo by City
10. 122 Pony Pl – title is a mess, will need to revisit at a later date.
11. 1137 Wray St – owner acknowledged it needs to come down, was included in Pine Hall grant, waiting on resubmittal before taking additional action.
12. 700 Fourth St – waiting on asbestos survey – a relative has come forward & is working on providing a Plan of Action to take care of the demo.
13. 908 Union St – demo by City

For the ones left to demo, we have an RFP out for their demo, but know from previous quotes they should be not to exceed \$27,500.00. There is currently \$15,000.00 in the Inspections Demo line, with approximately \$10,000.00 left from last fiscal year.

#### B. Next list recommended to work from:

1. 1210 Hickory St.
2. 808 D St.
3. 127 Beaver St
4. 210 Holt St
5. 205 Holt St
6. 417 Fayette St
7. 210 Park St
8. 550 Dillard St
9. 200 Holt St
10. 1007 Paul St
11. 326 Cliff St
12. 547 Dillard St

With the current budget depleted, we will need money to do the publications and asbestos surveys of this next set.

Consider adoption on first reading, Ordinance 2019-6 amending Chapter 18 “Solid Waste” of the Martinsville City Code to generally limit City garbage collection to waste only generated on site – City Attorney Monday summarized the reason for the ordinance change requested by the City Manager. Monday explained that owners of rental properties tend to be the biggest concern. Council Member Turner made a motion to approve the ordinance adoption on first reading. Vice Mayor Martin seconded the motion with the following roll call vote: Mayor Lawson, aye; Council Member Woods, aye; Vice Mayor Martin, aye; and Council Member Turner, aye.

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE No. 2019-6

DISPOSAL OF REFUSE

*BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in Regular Session held on September 24, 2019, that Section 18-18 of the City Code is hereby amended to read as follows:*

**Sec. 18-18. - Collection generally.**

- (a) All refuse shall be collected by the city at regular intervals no less frequently than once per week. It shall be the duty of every owner, lessee or occupant having one or more large-volume dumpsters to see that such dumpsters are accessible for emptying. It shall be the duty of every other owner, lessee or occupant to place or cause to be placed his refuse container, or fully closed and tied plastic garbage bags containing refuse, at the side of the curb line of the premises, at a location accessible to the collection crews, unless such owner, lessee or occupant has been exempted from the requirement of curbside placement by the director of public works under the provisions of this section. Bulky rubbish, such as paper, cardboard or wooden boxes, may be flattened and tied in bundles with heavy, stout cord, such bundles not to exceed thirty-six (36) inches in length or breadth, twenty (20) inches in height and fifty (50) pounds in weight.
- (b) It shall be unlawful for any nonresident of the city, or any owner or occupant of a property situated within the city limits, or any agent of either, to bring refuse of any kind from outside the city into the city, or from another collection site located within the city, and deposit it anywhere in the city for collection by the city or its agent.
- (c) It shall be unlawful to transfer refuse generated at one site in the city to another site in the city for collection, without the prior written approval of the Director of Public Works.
- (b ~~d~~) The director of public works may excuse any owner, lessee or occupant of any residential premises in the city from the duty of placing his refuse at the curb line for collection, if the director finds, from the written statements of a medical doctor, that such owner, lessee or occupant is physically or medically unable to place the refuse at the curb line.

(Ord. of 8-24-82, §§ 8-10, 8-11)

**Charter reference**— Authority of city to collect and dispose of garbage and other waste, Ch. 1, § 2(19).

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*Attest:*

Karen Roberts, Clerk of Council

Business from the Floor – Students from the Social Work Program from New College/Longwood University were in attendance. As part of their curriculum, they are learning to become effective policy advocates and leaders. They are concerned about the decrease in the working class and an increase in the lower income community and asked Council what plan they had to help resolve those issues. Mayor Lawson agrees with the students and the job base has diversified and is no longer as labor intensive as years ago. Council diversified some funding where they are now working with the Chamber of Commerce to promote small businesses in uptown Martinsville. There is a training center at PHCC, the partnership with Eastman and the New College. Council is looking outside the box to bring people to the area. Vice Mayor Martin explained that Retail Strategies is now working with Martinsville, this company was responsible for building the restaurants that came into Danville, VA. The school system now require a CTE trade requirement and Martinsville has the Trade Act option. Council does not bring jobs to the community but they set policies and work with the Chamber and EDC to bring businesses to the area. Council Member Turner said federal policy has hurt manufacturing in the United States. The students recommended that Council continue their opportunity enhancement policies and include wage based job grants as part of the new business incentives. As future social workers, they will do their best to maintain and create a humane society in Martinsville.

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Vice Mayor Martin encouraged the students to stay in Martinsville when they graduate. Council Member Woods thanked the students for caring for the residents of Martinsville.

Greg Meyers, a local business owner expressed concern about the steady increase in his electric bill. He was in the small general services category but has recently increased to general demand category with the new meter project. Mayor Lawson suggested that he contact the electric department about getting a free electric audit and to follow up with the City Manager. City Manager Towarnicki explained that he would take a look at his bill and usage to determine what action can be taken to help save money. The electric meters are new and accurate. Council Member Turner requested a report of which small business in the area may be in the same situation.

Fire Chief Ted Anderson updated Council on the Rives Theater fire, which was actually reported by Council Member Woods. The department is still working on the investigation and no definitive cause has been determined. Various City departments including the fire department, sheriff's department and inmates, police department electric department and public works worked together to battle the fire.

Comments by Members of City Council – Council Member Woods shared Theater Works will be presenting a play and hoping to cast women who are survivors of breast cancer; auditions will be on Saturday. Woods said he was amazed watching the City departments working together on the Rives fire. Council Member Turner thanked the Martinsville Bulletin, Henry Enterprise, and Cable 18 for their editorials related to the Council's video system. Vice Mayor Martin praised the fire department, we may have lost an iconic location but there was no loss of life. Mayor Lawson said the OctoberFest would be October 5. Community Hazard Waste Day will be October 12. Lawson reminded the City Manager that residents and business owners prefer that the City not close uptown streets for the run in December.

Comments by City Manager – City Manager Towarnicki shared details about the Harvest Moon run on Friday. Mayor Lawson thanked the City Manager for his due diligence in working on the video equipment again.

There being no further business, Council Member Turner made a motion to adjourn the meeting; the motion was seconded by Vice Mayor Martin with all Council Members voting in favor. The meeting adjourned at 8:30pm.

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Karen Roberts  
Clerk of Council

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Kathy Lawson  
Mayor